

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF WISCONSIN

UNITED STATES OF AMERICA,

Plaintiff,

MEMORANDUM

93-cr-44-bbc

v.

DERRICK STANTON,

Defendant.

On March 5, 2012, defendant filed a notice of appeal of the court's February 22, 2012 order denying his motion for a reduction of his sentence under 28 U.S.C. § 3582. On July 5, 2012 defendant filed a motion for an extension of time in which to pay the appellate filing fee. His motion was granted on July 11, 2012, giving him until July 26, 2012 to do so. On August 3, 2012, the court of appeals dismissed defendant's appeal for failure to pay the fee.

Now defendant has filed a document entitled "Motion to Amend Judgment" in which he states that he paid the filing prior to the July 26, 2012, deadline. His document is addressed to the court of appeals but it is unclear whether he mailed a copy to the court of

appeals.

In checking the court's fiscal records, it appears that defendant is correct. His filing fee was paid prior to the July 26, 2012, deadline. I will send a copy of defendant's motion to amend as well as a copy of this order so that it can consider defendant's motion to amend.

Entered this 21st day of August, 2012.

BY THE COURT:

/s/

BARBARA B. CRABB

District Judge